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**SUBSTITUTE HOUSE BILL 2372**

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**State of Washington**

**54th Legislature**

**1996 Regular Session**

**By** House Committee on Government Operations (originally sponsored by Representatives Morris, Pennington, Chappell, Reams, Grant, Mastin, Smith, Campbell and Mulliken)

Read first time 02/02/96.

1 AN ACT Relating to the development of inherited property; adding a  
2 new section to chapter 35.63 RCW; adding a new section to chapter  
3 35A.63 RCW; adding a new section to chapter 36.70 RCW; and adding a new  
4 section to chapter 36.70A RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.63 RCW  
7 to read as follows:

8 (1) Notwithstanding any zoning provision pertaining to minimum lot  
9 sizes, inherited property that is exempt from subdivision and platting  
10 requirements pursuant to RCW 58.17.040(3) may be developed, so long as:

11 (a) The property is developed for a use that is authorized for that  
12 property under current zoning laws;

13 (b) Each lot that is created contains sufficient area for a single-  
14 family residence and an on-site sewage disposal system using any method  
15 of on-site sewage disposal appropriate for the lot under standards that  
16 exist when the lots are created, as determined by the local health  
17 department;

18 (c) The people inheriting the property are immediate family members  
19 of the deceased; and

1 (d) The number of parcels into which the property is divided equals  
2 the number of immediate family members who inherit property under this  
3 section.

4 (2) For purposes of this section, "immediate family members" means  
5 a spouse, children, grandchildren, or parents.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.63 RCW  
7 to read as follows:

8 (1) Notwithstanding any zoning provision pertaining to minimum lot  
9 sizes, inherited property that is exempt from subdivision and platting  
10 requirements pursuant to RCW 58.17.040(3) may be developed, so long as:

11 (a) The property is developed for a use that is authorized for that  
12 property under current zoning laws;

13 (b) Each lot that is created contains sufficient area for a single-  
14 family residence and an on-site sewage disposal system using any method  
15 of on-site sewage disposal appropriate for the lot under standards that  
16 exist when the lots are created, as determined by the local health  
17 department;

18 (c) The people inheriting the property are immediate family members  
19 of the deceased; and

20 (d) The number of parcels into which the property is divided equals  
21 the number of immediate family members who inherit property under this  
22 section.

23 (2) For purposes of this section, "immediate family members" means  
24 a spouse, children, grandchildren, or parents.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70 RCW  
26 to read as follows:

27 (1) Notwithstanding any zoning provision pertaining to minimum lot  
28 sizes, inherited property that is exempt from subdivision and platting  
29 requirements pursuant to RCW 58.17.040(3) may be developed, so long as:

30 (a) The property is developed for a use that is authorized for that  
31 property under current zoning laws;

32 (b) Each lot that is created contains sufficient area for a single-  
33 family residence and an on-site sewage disposal system using any method  
34 of on-site sewage disposal appropriate for the lot under standards that  
35 exist when the lots are created, as determined by the local health  
36 department;

1 (c) The people inheriting the property are immediate family members  
2 of the deceased; and

3 (d) The number of parcels into which the property is divided equals  
4 the number of immediate family members who inherit property under this  
5 section.

6 (2) For purposes of this section, "immediate family members" means  
7 a spouse, children, grandchildren, or parents.

8 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70A RCW  
9 to read as follows:

10 (1) Notwithstanding any zoning provision pertaining to minimum lot  
11 sizes, inherited property that is exempt from subdivision and platting  
12 requirements pursuant to RCW 58.17.040(3) may be developed, so long as:

13 (a) The property is developed for a use that is authorized for that  
14 property under current zoning laws;

15 (b) Each lot that is created contains sufficient area for a single-  
16 family residence and an on-site sewage disposal system using any method  
17 of on-site sewage disposal appropriate for the lot under standards that  
18 exist when the lots are created, as determined by the local health  
19 department;

20 (c) The people inheriting the property are immediate family members  
21 of the deceased; and

22 (d) The number of parcels into which the property is divided equals  
23 the number of immediate family members who inherit property under this  
24 section.

25 (2) For purposes of this section, "immediate family members" means  
26 a spouse, children, grandchildren, or parents.

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